

§ 2164. Unlawful taking and possession of protected birds.

(a) General rule.--Except as otherwise provided in this title, it is unlawful for any person at any time to kill or attempt or conspire to kill or take or attempt, assist, aid or abet in the taking of any protected birds or possess protected birds, or any part thereof.

(b) Hawks, falcons or owls.--It is lawful for protected hawks, falcons or owls to be taken and possessed for use in falconry. Protected hawks, falcons or owls shall not be bought, sold or bartered, or offered for sale or barter, or held in possession for sale or barter.

(c) Mounting or retention in possession.--Except pursuant to a permit issued by the commission, no protected bird or part thereof shall be mounted or retained in possession.

(d) Penalties.--

(1) A violation of this section is a summary offense of the fifth degree for each protected bird or part thereof.

(2) A violation of this section relating to birds which are listed as threatened or endangered is, in addition to any other penalties, a misdemeanor.

(e) Contraband.--Any game or wildlife or egg possessed by any person contrary to this section is contraband.
(Oct. 24, 2012, P.L.1205, No.150, eff. 60 days)

2012 Amendment. Act 150 amended subsec. (d) (2).